

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOPAL ENTERPRISES LLC a/k/a JOPAL  
ENTERPRISES INC.,

Plaintiff,

- against -

BELMONT VILLAS LLC,

Defendant.

MEMORANDUM & ORDER  
10-CV-3221 (JS) (AKT)

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APPEARANCES:

For Plaintiff: Andrew S. Donner, Esq.  
45 Potters Lane  
Halesite, NY 11743

For Defendant: Catherine M McGrath, Esq.  
Foley & Lardner LLP  
90 Park Avenue  
New York, NY 10016

SEYBERT, District Judge:

Pending before the Court is Defendant's motion to reassign this case to Judge Bianco, who is currently presiding over the matter captioned Chord Associates LLC v. Protech 2003-D LLC, No. 07-CV-5138 (JFB) (AKT) (the "Chord Action"). For the reasons set forth below, Defendant's motion is GRANTED.

DISCUSSION

This case and the Chord Action are related cases within the meaning of Section 50.3.1(a) of the Guidelines for the Division of Business Among District Judges because the two matters "arise from the same transactions or events," and "a substantial saving of judicial resources is likely to result from assigning both cases to the same judge." The present case and the Chord Action concern the

Belmont Villas retirement community in Wyandanch, New York, and Jopal is a plaintiff in both of them. The present case seeks recovery on a note and loan agreement that helped finance the Belmont Villas project and, as Defendant notes, it implicates the Belmont Villas Operating agreement, which is at the heart of the Chord Action. (See Docket Entry 3 at 1.) Judge Bianco has presided over the Chord Action since 2007, when the case was filed, and is familiar with the context and the issues involved both in the Chord Action and in the present case. Reassignment would thus result in a substantial saving of judicial resources.

CONCLUSION

Based on the foregoing, Defendant's motion to transfer this case to Judge Bianco is GRANTED.

SO ORDERED

151 **JOANNA SEYBERT**  
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York  
November 9, 2010